

THE HARMAN FIRM, LLP

Attorneys & Counselors At Law
www.theharmanfirm.com

July 1, 2016

VIA ECF

Hon. Valerie E. Caproni
Southern District of New York
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, New York 10007

Re: Andrew Dwyer v. Alliance Building Services, LLC 16-cv-00451 (VEC)

Dear Judge Caproni:

This firm represents Plaintiff Andrew Dwyer in the above-referenced employment action. We write on behalf of the Parties to submit this joint pre-conference status letter in accordance with Your Honor's Order dated June 23, 2016 and the Case Management Plan.

I. Existing Deadlines

Discovery is presently scheduled to close on July 8, 2016.

II. Outstanding Motions

There are currently no motions outstanding in this action.

III. Status of Discovery

The parties have exchanged documents and begun depositions. Plaintiff deposed Anne Fahy on June 29, 2016,¹ and Defendant deposed Plaintiff on June 30, 2016. Both parties called for the production of additional documents during those depositions. Two additional depositions are scheduled to take place next week.

IV. Status of Settlement

Plaintiff made a renewed settlement demand on Friday, June 24, 2016, but has not received a response.

¹ Plaintiff left Ms. Fahy's deposition open in order to question her about certain documents from among the 973 pages of documents Plaintiff received from Defendant between 6:30 p.m. the night before Ms. Fahy's deposition and 3:15 a.m. on the day of Ms. Fahy's deposition. We have yet to arrange a subsequent date for the continuation of that deposition.

V. Anticipated Trial

The Plaintiff requested that this matter be tried to a jury. The parties anticipate that the trial will take three (3) to four (4) days.

VI. Anticipated Motions

Defendant anticipates filing a motion for summary judgment after the close of discovery. Plaintiff does not anticipate filing a motion for summary judgment but reserves his right to do so. No expert discovery has taken place, and the parties do not anticipate the use of experts at this time.

VII. Additional Issues

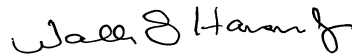
The parties anticipate discussing with the Court a briefing schedule for Defendant's anticipated motion for summary judgment.

VIII. Additional Information

The parties have no additional information to assist the Court in advancing this case.

Thank you for your time and attention to this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Walker G. Harman, Jr.", with a stylized flourish at the end.

Walker G. Harman, Jr.

cc: Andrew W. Singer, Esq. (via ECF)
Jason B. Klimpl, Esq. (via ECF)
Joseph D. Lockinger (via ECF)
Owen H. Laird (via ECF)